

## **FISCAL NOTE**

### **SB 4088 - HB 4061**

February 27, 2008

**SUMMARY OF BILL:** Prohibits entry on a property owner's land without prior written consent until the final judgment in an eminent domain proceeding. Under current law a petitioner who enters the property owner's land is only liable for actual damage done.

#### **ESTIMATED FISCAL IMPACT:**

##### **Increase State Expenditures - \$1,250,000/Highway Fund**

Assumption:

- According to the Department of Transportation (TDOT), requiring written consent is estimated to increase state expenditures \$1,250,000 due to delays in obtaining preliminary information used to identify potential highway centerlines and establishing the boundaries of a property to be appraised prior to acquisition. TDOT estimates that of the \$500,000,000 in construction contracts per year half would be affected by delays (\$250,000,000). If the affected contracts are delayed one month at a six percent annual price increase, state expenditures will increase \$1,250,000  $[(\$250,000,000 \times 0.06 = \$15,000,000) / 12 = \$1,250,000]$ .

#### **CERTIFICATION:**

This is to duly certify that the information contained herein is true and correct to the best of my knowledge.



James W. White, Executive Director

/kmc